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which may be different from its entry on the record.**

**IT IS SO ORDERED.**

**Dated: September 25, 2009**



  
**Pat E. Morgenstern-Clarren**  
**United States Bankruptcy Judge**

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO**

In re: Kelsey N Whitlow  
XXX-XX-4947

Debtor

) Chapter 13 Case No. 07-12874-M  
)  
) Hon. Pat E. Morgenstern-Clarren  
)  
)

**ORDER DISMISSING CASE AND RELEASING  
INCOME OF DEBTOR FROM THE JURISDICTION OF THE COURT**

This case came on for hearing on September 22, 2009 upon the Trustee's Motion to Dismiss Case for Failure to Fund ("Trustee's Motion"), and upon the Objection thereto filed by the debtor. The Objection to Trustee's Motion filed by the debtor was withdrawn.

The Trustee's Motion is granted, and the case is hereby dismissed for the following reason(s):

X The Debtor is in material default in funding the Plan. The Debtor received notice that failure to make required plan payments could result in dismissal without further notice or hearing through the "Additional Notices for Chapter 13 Cases in Cleveland, Ohio" attached to the court-issued "Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, and Deadlines."

The Debtor and/or the Debtor's employer, as well as the future income of the Debtor, is hereby released from the supervision and control of the Court, as well as any order of the Court requiring payments to the Trustee in this case.

Submitted by:

/S/ Craig Shopneck

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CRAIG SHOPNECK (#0009552)

Chapter 13 Trustee

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Cleveland OH 44114-2321

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### **SERVICE LIST**

Craig Shopneck, Chapter 13 Trustee

Office of the U.S. Trustee (served via ECF)

All creditors and parties of interest

Alan I Silver, Attorney for Debtor (served via ECF)

Kelsey N Whitlow, Debtor

9701 Nelson Ave.

Cleveland OH 44105

Avi Food Systems, Employer

Attn: Payroll, 2590 Elm Road

Warren OH 444832904

CS/bas

09/25/09